IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.693l of 2004

Mrs Suchitra Prallhad Patil.. petitioner

vs

Shri Prallhad Narhar Patil.. respondent

Mr. Ramesh Dube for petitioner

Mr Anilkumar Patil for respondent

CORAM: S.U.KAMDAR J.

Dated 13.l2.2005

P.C:

. By the present petition the petitioner is claiming enhancement of compensation fixed by the 2nd Jt Civil Judge S D Nasik. The quantum of maintenance which has been fixed by the trial court is a sum of Rs.2500 per month to the respondent wife as interim maintenance . The trial court while fixing the quantum of maintenance has gone into the record which has been produced before it including including income tax assessment and the income which has been found as assessed income of the petitioner is around Rs.88,700 per year.

Keeping in mind the aforesaid facts and other investments of the petitioner the trial court has fixed the aforesaid quantum of Rs.2500 per month. Over and above Rs.2500 she is also getting interim maintenance under section l25 Criminal Procedure Code proceedings at Rs.l000 per month. Thus in fact the petitioner is getting Rs.3500 per month. It is not possible for me to reassess the quantum on assessment fixed by the trial court in writ jurisdiction under Art 227 of the Constitution. I do not find any such severe infirmity in the order so as to exercise writ jurisdiction of this court. Petition is accordingly dismissed with no order as to costs.